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8/8/2022

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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOISTHOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTKari Raspanti**1:22-CV-03610**

Plaintiff(s),

Case Number: _____

v.

Jones DayUnum

Defendant(s).

JUDGE LEFKOW
MAGISTRATE JUDGE JANTZ**RANDOM**COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is Kari Raspanti of the
county of Cook in the state of Illinois.3. The defendant is Jones Day, Unum, whose
street address is 77 W. Wacker Drive.(city) Chicago (county) Cook (state) Illinois (ZIP) 60601(Defendant's telephone number) (312) - 782-3939

4. The plaintiff sought employment or was employed by the defendant at (street address)

77 W. Wacker Drive (city) Chicago(county) Cook (state) Illinois (ZIP code) 60601

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☐ was hired and is still employed by the defendant.
- (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about, (month) June, (day) 17, (year) 2019.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

- (a) The defendant is not a federal governmental agency, and the plaintiff [*check one box*] ☒ *has* ☐ *has not* filed a charge or charges against the defendant

asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission, on or about (month) December (day) 12 (year) 2019.
- (ii) ☒ the Illinois Department of Human Rights, on or about (month) December (day) 12 (year) 2019.

- (b) If charges *were* filed with an agency indicated above, a copy of the charge is attached. ☒ Yes, ☐ No, **but plaintiff will file a copy of the charge within 14 days.**

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month)_____ (day)_____ (year) _____

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month)_____
(day) _____ (year) _____.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ Yes ☐ No, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ Yes ☐ NO, but a copy will be filed within 14 days.

8. (Complete paragraph 8 only if defendant is not a federal governmental agency.)

(a) ☐ the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on
(month) April (day) 11 (year) 2022 a copy of which
Notice is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [*check only those that apply*]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

- (c) ☒ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the ADA by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791; and for the ADEA, 29 U.S.C. § 626(c).
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☒ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☒ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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13. The facts supporting the plaintiff's claim of discrimination are as follows:

The plaintiff is a disabled person. The defendant was aware of her disabilities (Breast Cancer, Major Depression Disorder, Panic Disorder + Anxiety Disorder). Defendant terminated the plaintiff's employment and failed to reasonably accommodate the plaintiff's disabilities.

(cont on add'l sheet)

14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☐ Yes ☒ No

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff **[check only those that apply]**

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☐ Direct the defendant to re-employ the plaintiff.
- (c) ☐ Direct the defendant to promote the plaintiff.
- (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ Direct the defendant to (specify): _____

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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- (g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.
- (h) ☒ Grant such other relief as the Court may find appropriate.

Kari Raspanti
(Plaintiff's signature)

Kari Raspanti
(Plaintiff's name)

437 Old Surrey Rd.
(Plaintiff's street address)

(City) Hinsdale (State) IL (ZIP) 60521

(Plaintiff's telephone number) 708 - 655-5274

Date: July 5, 2022

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

Continued from Section 13:

The plaintiff was hired by Jones Day on 10/3/2007 as a Practice Coordinator. Unum is Jones Day's administrator for disability + FMLA benefits. On June 17, 2019, the defendant denied the plaintiff's request for a reasonable accommodation for a further leave of absence due to her disabilities, was denied Long Term Disability ("LTD") and was discharged on July 11, 2019. The Plaintiff did not exhaust all available leave on the date of request (or date of termination). The defendant Jones Day states it had no knowledge of plaintiff's disabilities and her request for accommodation but this is untrue. The plaintiff can provide specific evidence to show this. The defendant Unum informed plaintiff on June 16, 2020, a year after her termination, that Jones Day specifically denied ~~my~~ the LTD benefits for plaintiff via a telephone call to Unum on July 13, 2019. Jones Day states it has nothing to do with Unum. Unum contacted the plaintiff on Feb. 10, 2020, after a charge of discrimination was filed with the IDHR and the EEOC and informed plaintiff that her claim was never given to her (Unum Rep. Karie Bell) and it "fell through the cracks." at that time, Unum said the plaintiff was eligible for LTD at the time of her request originally to Jones Day. Plaintiff provided all necessary supporting medical documents to Unum all throughout the time in question, before that and after showing the plaintiff's disabilities. Jones Day knew of the plaintiff's disabilities yet failed to accommodate and terminated her employment.

Charge Number: 2020CF1039

Complainant: Kari Raspanti

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- I. A. ISSUE/BASIS**
FAILURE TO ACCOMMODATE – JUNE 17, 2019, BECAUSE OF MY DISABILITY, BREAST CANCER
 - B. PRIMA FACIE ALLEGATIONS**
 - 1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.**
 - 2. Respondent was aware of my disability.**
 - 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.**
 - 4. On June 17, 2019, failed to accommodate my request for an unpaid leave of absence. The reason given was because Respondent does not grant unpaid leaves of absence.**
 - 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.**
- II. A. ISSUE/BASIS**
FAILURE TO ACCOMMODATE – JUNE 17, 2019, BECAUSE OF MY DISABILITY, MAJOR DEPRESSION DISORDER
 - B. PRIMA FACIE ALLEGATIONS**
 - 1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.**
 - 2. Respondent was aware of my disability.**
 - 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.**
 - 4. On June 17, 2019, failed to accommodate my request for an unpaid leave of absence. The reason given was because Respondent does not grant unpaid leaves of absence.**
 - 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.**

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- III. A. ISSUE/BASIS**
FAILURE TO ACCOMMODATE – JUNE 17, 2019, BECAUSE OF MY DISABILITY, PANIC DISORDER
- B. PRIMA FACIE ALLEGATIONS**
1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.
 2. Respondent was aware of my disability.
 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.
 4. On June 17, 2019, failed to accommodate my request for an unpaid leave of absence. The reason given was because Respondent does not grant unpaid leaves of absence.
 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.
- IV. A. ISSUE/BASIS**
FAILURE TO ACCOMMODATE – JUNE 17, 2019, BECAUSE OF MY DISABILITY, ANXIETY DISORDER
- B. PRIMA FACIE ALLEGATIONS**
1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.
 2. Respondent was aware of my disability.
 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.
 4. On June 17, 2019, failed to accommodate my request for an unpaid leave of absence. The reason given was because Respondent does not grant unpaid leaves of absence.
 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.

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- V. A. ISSUE/BASIS
DISCHARGE -JULY 11, 2019, BECAUSE OF MY DISABILITY,
BREAST CANCER**
- B. PRIMA FACIE ALLEGATIONS**
- 1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.**
 - 2. Respondent was aware of my disability.**
 - 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.**
 - 4. On July 11, 2019, I was discharged by Lori D. Bounds (no known disability), Associate Director Human Resources. The reason given was due to my unavailability for work.**
 - 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.**
- VI. A. ISSUE/BASIS
DISCHARGE -JULY 11, 2019, BECAUSE OF MY DISABILITY,
MAJOR DEPRESSION DISORDER**
- B. PRIMA FACIE ALLEGATIONS**
- 1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.**
 - 2. Respondent was aware of my disability.**
 - 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.**
 - 4. On July 11, 2019, I was discharged by Lori D. Bounds (no known disability), Associate Director Human Resources. The reason given was due to my unavailability for work.**
 - 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.**

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- VII. A. ISSUE/BASIS**
DISCHARGE -JULY 11, 2019, BECAUSE OF MY DISABILITY,
PANIC DISORDER
- B. PRIMA FACIE ALLEGATIONS**
- 1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.**
 - 2. Respondent was aware of my disability.**
 - 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.**
 - 4. On July 11, 2019, I was discharged by Lori D. Bounds (no known disability), Associate Director Human Resources. The reason given was due to my unavailability for work.**
 - 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.**
- VIII. A. ISSUE/BASIS**
DISCHARGE -JULY 11, 2019, BECAUSE OF MY DISABILITY,
ANXIETY DISORDER
- B. PRIMA FACIE ALLEGATIONS**
- 1. I am an individual with a disability within the meaning of Section I-103(I) of the Human Rights Act.**
 - 2. Respondent was aware of my disability.**
 - 3. My performance as Practice Coordinator/Practice Planning/Analysis met Respondent's expectations. I was hired on October 3, 2007.**
 - 4. On July 11, 2019, I was discharged by Lori D. Bounds (no known disability), Associate Director Human Resources. The reason given was due to my unavailability for work.**
 - 5. My disability is unrelated to my ability to perform the essential functions of my job with or without a reasonable accommodation.**



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chicago District Office
230 S. Dearborn Street
Chicago, Illinois 60604
(800) 669-4000
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 04/05/2022

To: Kari Raspanti
c/o Daniel G. Austin, Esq.
Austin Law Group, LLC
15 Salt Creek Lane, Suite 321
Hinsdale, IL 60521

Charge No: 21B-2020-00359

EEOC Representative and email:

Sherice Galloway
Acting Coordinator / State, Local & Tribal
sherice.galloway@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated your charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 21B-2020-00359.

On Behalf of the Commission:

Digitally Signed By: Julianne Bowman
04/05/2022

Julianne Bowman
District Director

Cc:

JONES DAY
c/o Sarah McClure
Director of Human Resources
717 Texas, Suite 3300
Houston, TX 77002-2712